

House Study Bill 110 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON SWEENEY)

A BILL FOR

- 1 An Act relating to the regulation of egg production.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 10A.104, subsection 12, Code 2011, is
2 amended by striking the subsection.

3 Sec. 2. Section 196.1, subsection 3, Code 2011, is amended
4 to read as follows:

5 3. "*Department*" means the department of ~~inspections and~~
6 ~~appeals, as established in section 10A.102~~ agriculture and land
7 stewardship.

8 Sec. 3. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

9 1. a. Any rule, regulation, form, order, or directive
10 promulgated by the department of inspections and appeals as
11 required to administer and enforce the provisions of chapter
12 196 shall continue in full force and effect until amended,
13 repealed, or supplemented by affirmative action of the
14 department of agriculture and land stewardship.

15 b. Any license issued by the department of inspections and
16 appeals under chapter 196, and in effect on the effective date
17 of this Act, shall continue in full force and effect until
18 expiration or renewal.

19 2. An administrative hearing or court proceeding arising
20 out of an enforcement action under chapter 196 pending on the
21 effective date of this Act shall not be affected due to this
22 Act. Any cause of action or statute of limitation relating to
23 an action taken by the department of inspections and appeals
24 shall not be affected as a result of this Act and such cause
25 or statute of limitation shall apply to the department of
26 agriculture and land stewardship.

27 3. Any personnel in the state merit system of employment
28 who are mandatorily transferred due to the effect of this Act
29 shall be so transferred without any loss in salary, benefits,
30 or accrued years of service.

31 4. Any replacement of signs, logos, stationery, insignia,
32 uniforms, and related items that is made due to the effect of
33 this Act shall be done as part of the normal replacement cycle
34 for such items.

35 EXPLANATION

1 This bill amends Code chapter 196, which regulates egg
2 production and marketing, including the regulation of so-called
3 "egg handlers" who engage in the purchase or sale of eggs or
4 the use of eggs in the preparation of human food. The Code
5 chapter is regulated by the department of inspections and
6 appeals. The bill requires the department of agriculture and
7 land stewardship to administer the Code chapter.

8 The bill provides transitional provisions to assist the
9 departments in accomplishing the transfer. The provisions
10 relate to the validity of existing rules, regulations, forms,
11 orders, and directives promulgated by the department of
12 inspections and appeals; licenses issued by the department;
13 pending enforcement or civil actions; the transfer of
14 personnel; and replacement of items with insignia.